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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



I hereby certify that this paper or fee is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service, in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 16, 2005.

*Lillian Pillitteri*  
Lillian Pillitteri

Serial No.: 10/753,679  
Filed: January 8, 2004  
Art Unit: 3728  
Applicant: Rudy Guzman  
Title: CLOTHING WITH EXTERNALLY ACTIVATED SWITCH

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c)(1), the disclosure listed on the attached Form PTO-1449, a copy of which is attached, is hereby being disclosed to the U.S. Patent and Trademark Office. This disclosure was cited by the Examiner in a European Search Report dated February 11, 2005 from a counterpart European application, which was received by the office of the undersigned on August 9, 2005. The submission of this disclosure is being made before the mailing date of either a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311, and is accompanied by a certification under 37 C.F.R. § 1.97(e). It is believed no petition or petition fee is due under 37 C.F.R. § 1.97(c), but authorization is hereby given to charge any underpayment to the undersigned's Deposit Account No. 08-2625.

DE 203 17 143 U1 is being submitted in a non-English language. Accordingly, pursuant to 37 C.F.R. § 1.98(a)(3), a concise explanation of this document is provided as follows:

A heatable shoe insert for additional insertion into a shoe (1) or boot, characterized by the fact that there is inserted in the recesses (2) of a base part (3) of elastic material, an accumulator (4) or a battery (4), which, via a receiver (5) of a remote control unit (6) and its mechanical or electronic switch (7), is electrically connected by a cable (29) to a flat heating element (8), composed of a braiding with carbon fibers (9), resistance wire (9') or of semiconductors (9''), that the mechanical or electronic switch (7) can be turned on or off manually, or under the control of an

external remote operating unit (10), that the switch (7) is electrically connected to a regulating module for automatic temperature regulation (26) and that an elastic inset (12) is fixed as a cover (11) to the base part (12).

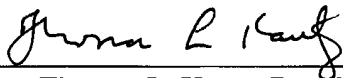
The Examiner is invited to review the subject matter of the enclosed references, and independently assess the teachings and materiality of it, if any, to the pending claims. Pursuant to 37 C.F.R. § 1.97(h), no admission is made that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

Respectfully submitted,

HOLLAND & KNIGHT LLP

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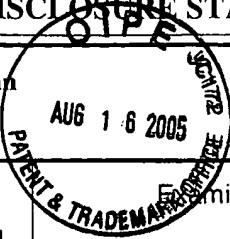
By   
Thomas L. Kautz, Reg. No. 28,726

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**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
64730.22

In Re Application Of: **Rudy Guzman**



Application No. <b>10/753,679</b>	Filing Date <b>January 8, 2004</b>	Examiner	Customer No. <b>23573</b>	Group Art Unit <b>3728</b>	Confirmation No. <b>6790</b>
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Invention: **CLOTHING WITH EXTERNALLY ACTIVATED SWITCH**

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☐ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☒ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

*Thomas L. Kautz*

Signature

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Dated: **August 16, 2005**

**Certificate of Mailing by First Class Mail**

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**August 16, 2005**

(Date)

*Lillian Pillitteri*

Signature of Person Mailing Correspondence

**Lillian Pillitteri**

Typed or Printed Name of Person Mailing Correspondence

CC:

